

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM****SUBJECT:** Red Bug Lake Road 5885/Mobil PCD Major Amendment**DEPARTMENT:** Planning and Development **DIVISION:** Planning**AUTHORIZED BY:** Dori DeBord**CONTACT:** Ian Sikonia**EXT:** 7398**MOTION/RECOMMENDATION:**

1. Approve the PCD Major Amendment, Revised Final Site Plan, and Revised and Restated Developer's Commitment Agreement for the Red Bug Lake 5885/Mobil consisting of 0.97 ± acres, located on the southeast corner of Red Bug Lake Road and Tuskawilla Road, and authorize the Chairman to execute the aforementioned documents, based on staff findings; (Brett Nevaril/Progressive Development Group, applicant); or
2. Deny the PCD Major Amendment, Revised Final Site Plan, and Revised and Restated Developer's Commitment Agreement for the Red Bug Lake 5885/Mobil consisting of 0.97 ± acres, located on the southeast corner of Red Bug Lake Road and Tuskawilla Road, and authorize the Chairman to execute the Denial Development Order; (Brett Nevaril/Progressive Development Group, applicant); or
3. Continue the item to a time and date certain.

District 1 Bob Dallari

Ian Sikonia

BACKGROUND:

The Red Bug Lake Road 5885/Mobil PCD Developer's Commitment Agreement and Final Site Plan were approved by the Board of County Commissioners on November 8, 1988. The approval was to allow construction of a car wash in conjunction with an existing convenience store and gas pumps previously approved for the site. The original approval was for a 988 square foot gas station with gas pumps and a car wash and all uses within the C-1 (Retail Commercial) zoning district. At this time, the applicant is requesting to increase the square footage of the convenience store from 988 square feet to 4,200 square feet. As per Seminole County Land Development Code Chapter 30; Part 26; Sec. 30.467 Revision of planned commercial development site plan: Any major or substantial change in the approved PCD, which affects the intent and character of the development or permitted uses shall be reviewed and approved by the Board of County Commissioners. The applicant is proposing an additional 3,212 square feet of convenience store space.

The Seminole County Land Development Code (SCLDC) requires one (1) parking space per 100 square feet of non-storage areas. The applicant is proposing an additional 3,212 square feet, 1,596 square feet will be used for storage. The applicant is required to provide sixteen (16) parking spaces. As per the site plan submitted, the applicant proposes to construct eighteen (18) parking spaces, satisfying the SCLDC parking requirements. All other conditions of approval will remain the same.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Planning and Zoning Commission met on November 7, 2007 and voted 4 to 0 to recommend approval of the PCD Major Amendment, Revised Final Site Plan, and Revised and Restated Developer's Commitment Agreement for the Red Bug Lake 5885/Mobil consisting of 0.97 ± acres, located on the southeast corner of Red Bug Lake Road and Tuskawilla Road, based on staff findings.

STAFF RECOMMENDATION:

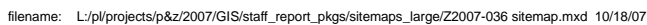
Staff recommends the Board approve the PCD Major Amendment, Revised Final Site Plan, and Revised and Restated Developer's Commitment Agreement for the Red Bug Lake 5885/Mobil consisting of 0.97 ± acres, located on the southeast corner of Red Bug Lake Road and Tuskawilla Road.

ATTACHMENTS:

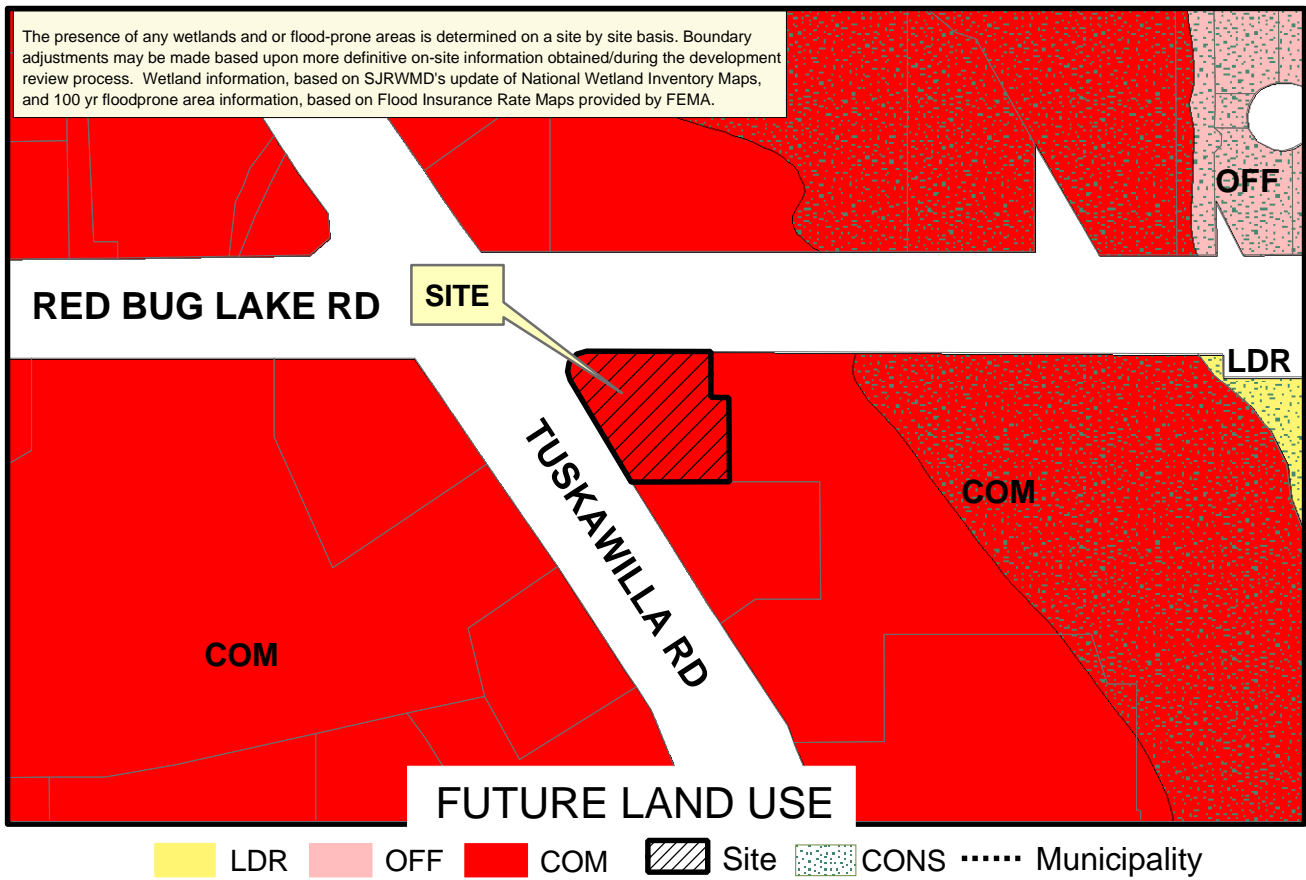
1. Location Map
2. Future Land Use and Zoning Map
3. Aerial Map
4. Final Site Plan
5. Revised and Restated Developer's Commitment Agreement
6. 11/08/1988 Development Order
7. 11/08/1988 Developer's Commitment Agreement
8. 11-7-07 Planning Commission Minutes
9. Denial Development Order

Additionally Reviewed By:

☒ County Attorney Review (Kathleen Furey-Tran)

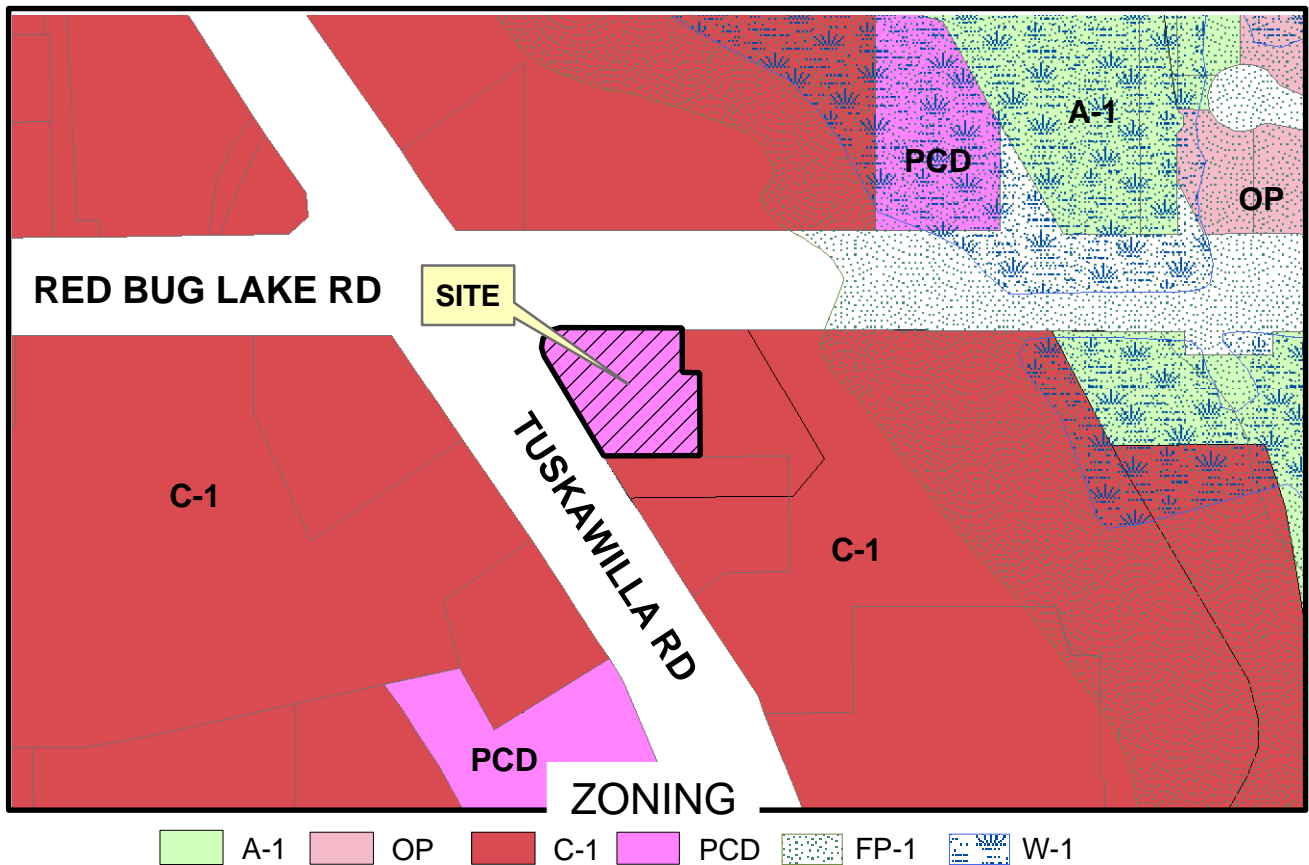


The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.



Applicant: Brett Nevaril
 Physical STR: 24-21-30-020A-0000
 Gross Acres: .86 +/- BCC District: 1
 Existing Use: gas station/conv. store
 Special Notes: PCD Major Amendment

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2007-036	PCD	PCD





Rezone No: Z2007-036
From: PCD To: PCD

- Parcel
- Subject Property



Winter 2006 Color Aerials

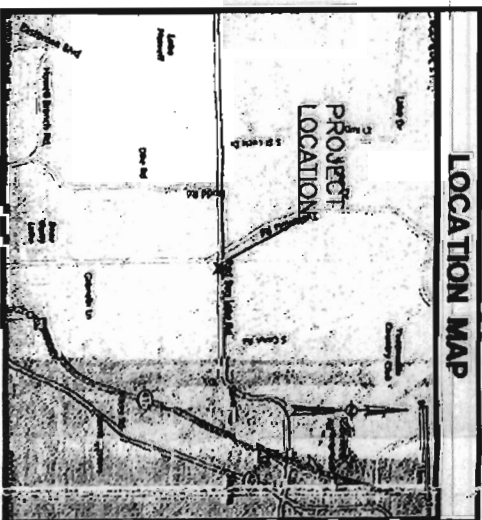
ExxonMobil

On the Run

DEVELOPED FOR
EXXON MOBIL CO. U.S.A.

PCD AMENDMENT APPROVAL PLAN

CALL 48 HOURS
BEFORE YOU DIG
It's the Law!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.



VICINITY MAP
NOT-TO-SCALE

Progressive
DEVELOPMENT GROUP, INC.
5200 SOUTH LOTS AVENUE
TAMPA, FLORIDA 33611
PHONE (813) 886-0272
FAX (813) 886-0273
FL E.B. NO. 7703

U.S. Region
Engineering
Fish Marketing

ExxonMobil
Fish Marketing

PROJECT INFORMATION

SITE ADDRESS:
5885 RED BUG LAKE ROAD
WINTER SPRINGS, FLORIDA 32708-5010

LOT SIZE: 42,208 SF 0.960 AC

PROJECT SCOPE: CONVENIENCE FOOD AND BEVERAGE STORE, EXISTING DRIVE, SET-SPRINGS, FUEL PUMPS & CAR WASH

BUILDING SIZE: 23,000 SF CONVENIENCE-STORE

CONSTRUCTION TYPE: V UHP

OCCUPANCY: E2

BUILDING HEIGHT: = 23.5' (APPROX)

CAR WASH SIZE: 576 SF

EXISTING CARWASH TO REMAIN

CAR WASH HEIGHT: = 18'-0" (APPROX)

CANOPY SIZE: 3183.18 SF

CONSTRUCTION TYPE: V

CANOPY HEIGHT: = 22'-0" (APPROX)

(1) MONUMENT ID SIGN (EXISTING TO REMAIN)

PRESIDENT USE: COMMERCIAL (SERVICE WITH CAR WASH)

DEVELOPMENT USE: COMMERCIAL (SERVICE WITH CAR WASH)

PARKING CALCULATIONS: PARKING REQUIRED
1 SPACE PER 100 SF OF NON-STORAGE AREA
CONVENIENCE STORE = 2300 SF = 23 SPACES
= 1700 SF / 100 SF = 17 SPACES

TOTAL SPACES REQUIRED: 17

WC REQUIRED: 1

TOTAL SPACES PROVIDED: = 18

(17) SPACES

(1) W/C SPACES

CONTACTS

OWNER:
MOBIL OIL CORPORATION
P.O. BOX 9973
HOUSTON, TX 77210

CLIENT:
JOHN W. SALTER / PROJECT MANAGER
515 BOCA BLVD. COASTAL COMMERCIAL GROUP
13700 BOCA BLVD. COASTAL COMMERCIAL GROUP
C 918 438 8078

ARCHITECT:
7007 DISCOVERY BLVD.
TAMPA, FL 33634
814.634.7777 F
814.634.7000

CONTACT: WALLACE PERKINS

CIVIL ENGINEER:
PROGRESSIVE DEVELOPMENT GROUP, INC.
FL E.B. NO. 7703
5505 SOUTH LOTS AVENUE
TAMPA, FL 33611
PHONE: (813) 886-0512 FAX: (813) 886-0513

CONTACT: BRETT NEWELL

SURVEYOR:
BRYAN D. THOMPSON, PSN
8415 SAUNTER STREET
TAMPA, FL 33634
PHONE: (813) 886-6080
FAX: (813) 886-6081

CONTACT: ERIC BLACKBURN

GEOTECHNICAL ENGINEER:
WMA SERVICES, INC.
2000 N. W. 13TH AVENUE
LAKELAND, FLORIDA 33815
PHONE: (883) 646-9130 FAX: (883) 646-1106

CONTACT: MICHAEL W. ALEXANDER P.E.

STRUCTURAL ENGINEER:
W.D. PARTNERS
7007 DISCOVERY BLVD.
TAMPA, FL 33634
PHONE: (813) 886-7777
FAX: (813) 886-7777

CONTACT: WALLACE PERKINS

M.E.P. ENGINEER:
7007 DISCOVERY BLVD.
TAMPA, FL 33634
PHONE: (813) 886-7777
FAX: (813) 886-7777

CONTACT: WALLACE PERKINS

SHEET INDEX

Site Civil Engineering Drawings
Sheet Description
C0.0 Cover Sheet / Index
C1.0 Site Plan
C2.0 Grading & Drainage Plan
C3.0 Site Details
L1.0 Landscape Plan
TP.1 Tanker Path Plan
PH.0 Photometric Plan
T1.0 Topographical and Boundary Survey

SHEET INDEX - Continued

Note to Plan Reviewers: Exxon plan set sheets use two numbers to identify individual drawings. The Exxon standard Project number identifies the prototype series from which the plans were developed. The Sheet number identifies the discipline and order of the drawings within that series of drawings. Project and Sheet numbers can be found at the lower right of the drawing title block.

C-Store

Canopy

Car Wash

Underground Storage Tanks

COVER SHEET

SPECIAL INSPECTIONS

CONTRACTOR SHALL PAY FOR AND OBTAIN THE REQUIRED SEANCE COUNTY PERMITS AND HOLD A PRE-CONSTRUCTION CONFERENCE BEFORE STARTING WORK. CONTACT: JIM ALLEN, DEVELOPMENT REVIEW DIVISION, (407) 866-7409 FOR INFORMATION ON SETTING YOUR PRE-CONSTRUCTION MEETING, SEANCE OF COUNTY PERMITS AND OTHER REQUIREMENTS.

UTILITY COMPANIES

FLORIDA ELECTRIC POWER & LIGHT COMPANY:
CONTACT NAME: ERM MCCONNELL
ADDRESS: 1000 N. W. 13TH AVENUE
OMEGA, FL 32765
PH (407) 359-4479

FLORIDA GAS:
CONTACT NAME: SCOTT LONONZ
ADDRESS: 1000 N. W. 13TH AVENUE
OMEGA, FL 32765
PH (407) 359-4479

WATER AND SEWERAGE:
ADDRESS: 580 W. LAKE WAY BLVD STE 200
SUNSHINE, FL 32773
PH (407) 865-2143

015-275.11

CO.0

1- REVIEW PER SEANCE COUNTY DEC - 8/13/07 - 08

5885 RED BUG LAKE ROAD
WINTER SPRINGS, FLORIDA
MOBIL SERVICE STATION

DATE: 03/27/07
BY: HAH/BEN
SCALE: 1/4"=20'

Fuels Marketing

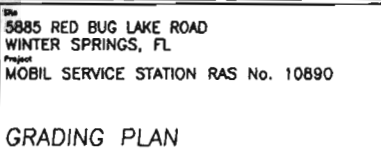
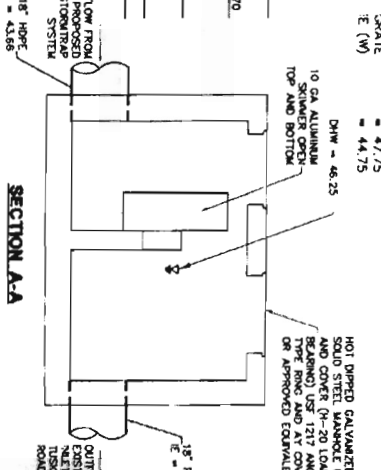
- ## STORM STRUCTURE DATA

SUBJECT, DATED & SEAL METHOD

Reference Number - Description - Date - Initial	
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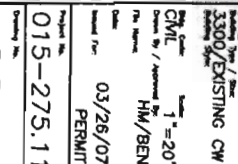
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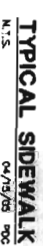
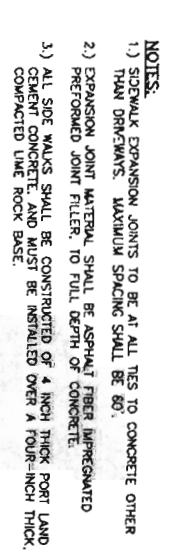
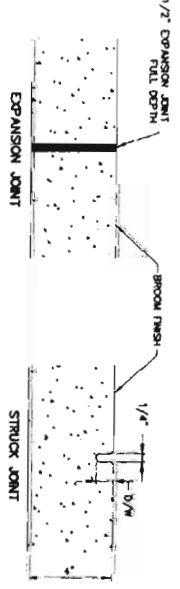
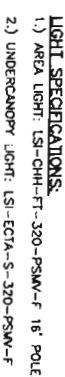
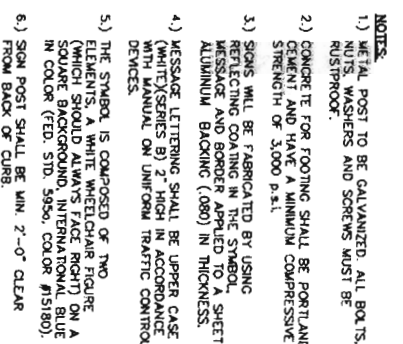
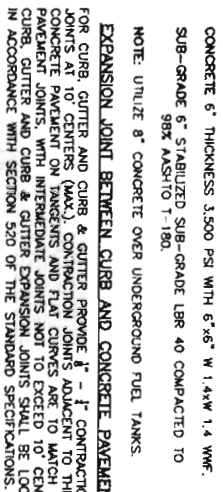
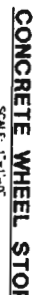
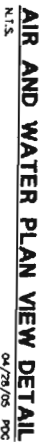


(ST-9) 4'x8' MODIFIED TYPE "J" OUTFALL CONTROL STRUCTURE

MODIFIED TYPE "J" OUTFALL CONT



City/County Drawn By / Approved By Title Date Issued For	Station 1" = 20' HM/BEN 03/26/07 PERMIT
Project No. 015-275.11	Drawing No. C2.0



DATE _____

THIS PLAN IS NOT VALID
UNLESS SIGNED, DATED
& RASSED SEAL ATTACHED

2. REPRODUCED FROM: AIRTEL

5885 RED BUG LAKE ROAD
WINTER SPRINGS, FLORIDA
Project
MOBIL SERVICE STATION

PHOTOMETRIC PLAN

10890

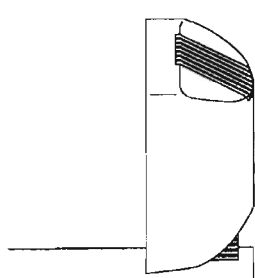
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Drawn By / Approved By:
HM/BEN

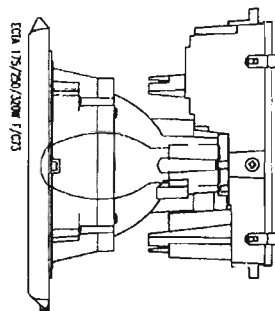
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015-275.11

PH.O



ECTA FLAT LENS



Lubricant Schedule						
Symbol	Qty	Arrangement	Lubers	L/F	Description	Total Watts
20	A	304L.C	30000	0.70	CLIA 5 300 750W M.F.	360
9	B	304L.C	30000	0.70	CH-4-1-300-750W-1-5-16 POL.E	360
2	C	2 & 90 0000L.C3	30000	0.70	CH-4-1-300-750W-1-000-16 POL.E	360
1	D	304L.C	30000	0.70	CH-4-1-300-750W-1-000-16 POL.E	360

Numeric Summary				
Label	Avg	Max	Min	Avg/Min
ALL CALC POINTS	519	805	00	NA

Statistical Area Summary					
Label	Ang	His	Wh	Ang/Wh	His/Wh
CANDY	57.78	80.5	32.4	1.78	2.48
INSIDE CAR	9.99	34.1	0.1	99.90	341.00

Total Watts = 128W

LD-87277



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ONE MILLION IN THE 1980S. MILLIONS IN THE 1990S.
AND BEYOND. THAT'S THE LSI WAY.

PROPERTY APPRAISER ID NUMBER 24 - 21-30-300-0004-0000

SPECIALTY COUNTY
APPROVED FOR CONSTRUCTION

THIS APPROVAL IS SUBJECT TO SPECIFIC CONFORMANCE TO THE SPECIALTY COUNTY LAND DEVELOPMENT CODE AND ANY OTHER REQUIREMENTS OF THE DEVELOPER TO THE COUNTY COMMISSIONERS. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO CORRECT ANY DEFECTS IN THE PLANS OR THE FIDELITY AS CONSTRUCTED WHICH DO NOT CONFORM TO THE SPECIALTY COUNTY LAND DEVELOPMENT CODE. THE SPECIALTY COUNTY COMMISSIONERS' REVIEW OF THE PLANS DOES NOT CONSTITUTE A WARRANTY OR ACCEPTANCE OF THE DEVELOPER'S PLANS DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE SPECIALTY COUNTY COMMISSIONERS' REVIEW OF THE PLANS DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE SPECIALTY COUNTY COMMISSIONERS' REVIEW OF THE PLANS DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE SPECIALTY COUNTY COMMISSIONERS' REVIEW OF THE PLANS DOES NOT CONSTITUTE A WARRANTY OF ANY KIND.

DATE

SPECIALTY COUNTY DEVELOPMENT REVIEW DEPARTMENT

**TUSCAWILLA COUNTRY STORE MOBIL OIL CORPORATION DEVELOPER'S
COMMITMENT AGREEMENT MOBIL SERVICE STATION RAS NO. 10890
EXXON MOBIL CORPORATION REVISED AND RESTATED
DEVELOPER'S COMMITMENT AGREEMENT**

The Exxon Mobil Corporation Developer's Commitment Agreement, Commitments, Classifications, and District Description dated February 22, 1989 is hereby further revised on December 11, 2007 to read as follows:

I. Legal Description:

Portion of the Southeast 1/4 of Section 24, Township 21 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Northeast corner of the Southeast 1/4 of Section 24; thence south 89degrees 47'22" West along the North line of said Southeast ¼ Section 24 for 1,365.03 feet; thence South 00 degrees 12'14" East for 75.00 feet to the Southerly right-of-way line for Red Bug Lake Road and the Point of Beginning; Thence continue South 00 degrees 12'14" East for 37.00 feet; thence North 89 degrees 47'46" East for 28.01 feet; thence South 00 degrees 12'14" East for 178.08 feet; thence South 89 degrees 47'46" West for 137.15 feet to the Easterly right-of-way line (lying 75.00 feet Easterly of when measured at right angles to the centerline thereof) of Tuscawilla-Gabriella Road; thence North 33 degrees 52'47" West along said Easterly right-of-way line for 258.41 to the aforesaid Southerly right-of-way line of Red Bug Lake Road; thence North 89 degrees 47'22" East along said Southerly right-of-way line for 252.43 feet to the Point of Beginning. Containing 0.996 Acres, more or less.

Subject to additional right-of-way taking, or the external area of a curve concave to the Southeast, having a radius of 25.00 feet; said curve being tangent to the Easterly right-of-way line of Tuscawilla-Gabriella Road and the Southerly right-of-way line of Red Bug Lake Road.

II. Statement of Basic Facts:

Total Acreage 0.99 AC

Total Building Square Footage: 988 4,200 Square Feet

Specific uses shall be for Convenience store with gas pumps and a car wash.

All development shall comply with the site plan attached as Exhibit A.

III. Landscaping and Buffers:

Shall comply with requirements for C-1 zoning category, as shown on ~~site plan~~ Exhibit A.

IV. Off-site Improvements:

~~Developer will provide a 5' sidewalk in the rights-of-way adjacent to the project shown on the site plan. Developer has installed deceleration lanes for two (2) right-in/right-out entrances in the rights-of-way as shown on the site plan. Developer will extend the sanitary sewer lines within the rights-of-way of Tuscawilla Road north from Willa Springs Villas to his site as shown on the site plan.~~

V. Impact Commitments:

- A. Roads: ~~This project participated in the Tri-Party Agreement for improvements to Red Bug Lake and Tuskawilla Roads. The Developer will pay transportation impact fees as applicable at the time of building permit issuance.~~
- B. Fire Protection: ~~The Developer will pay fire impact fees in accordance with ordinance #87-11, or its successor. The Developer will pay fire impact fees as applicable at the time of building permit issuance.~~
- C. Law Enforcement: The Developer will pay law enforcement impact fees as applicable at the time of building permit issuance.
- D. Water and Sewer: Water and sewer is provided by Seminole County. Water and Sewer lines are shown on the site plan. The Developer will pay water and sewer capacity fees as applicable at time of building permit.

VI. Other Commitments:

- A. Land Development Code Contingency:
Unless a particular item is specifically covered or permitted in this agreement, the applicable portion of the Seminole County Land Development Code shall prevail.
- B. Buildings will not exceed one story in height.
- C. Allowable uses of the property shall be those uses allowed in C-1 Retail/Commercial zoning, Convenience Store with Car Wash and Gas Pumps.
- D. Developers Definition:

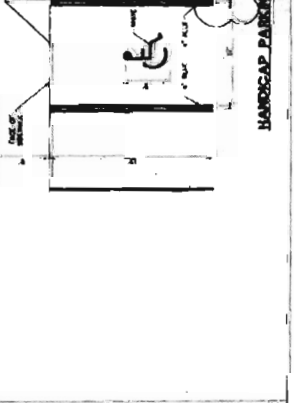
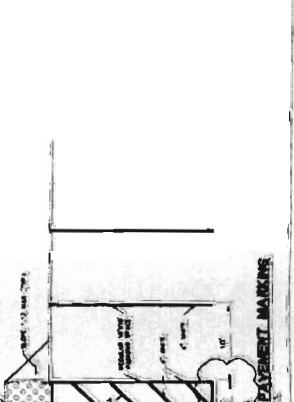
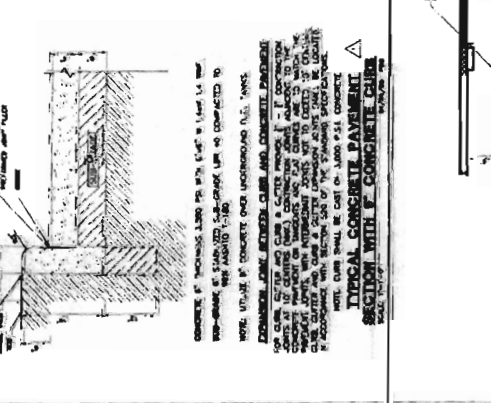
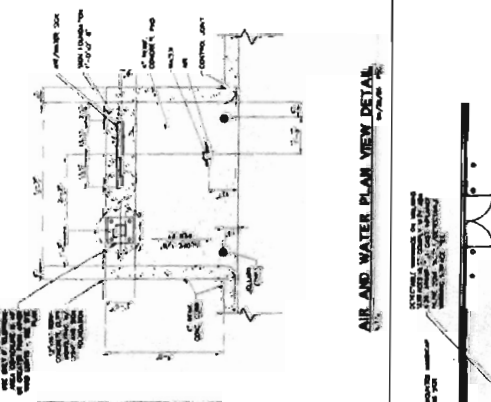
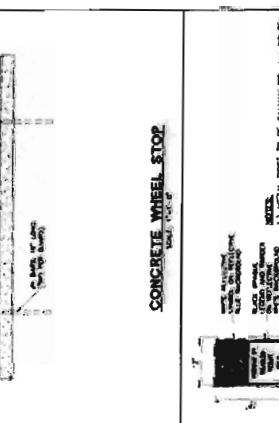
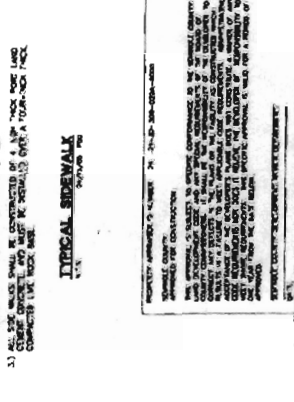
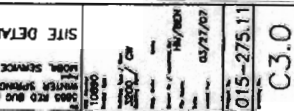
When the term "Developer" is used herein, same shall be taken or construed to mean Exxon Mobil Oil Corporation. All obligations, liabilities, and responsibilities incurred by or implied by the Developer by this agreement shall be assumed by any successors in interest as the overall Development of the Planned Commercial Development.

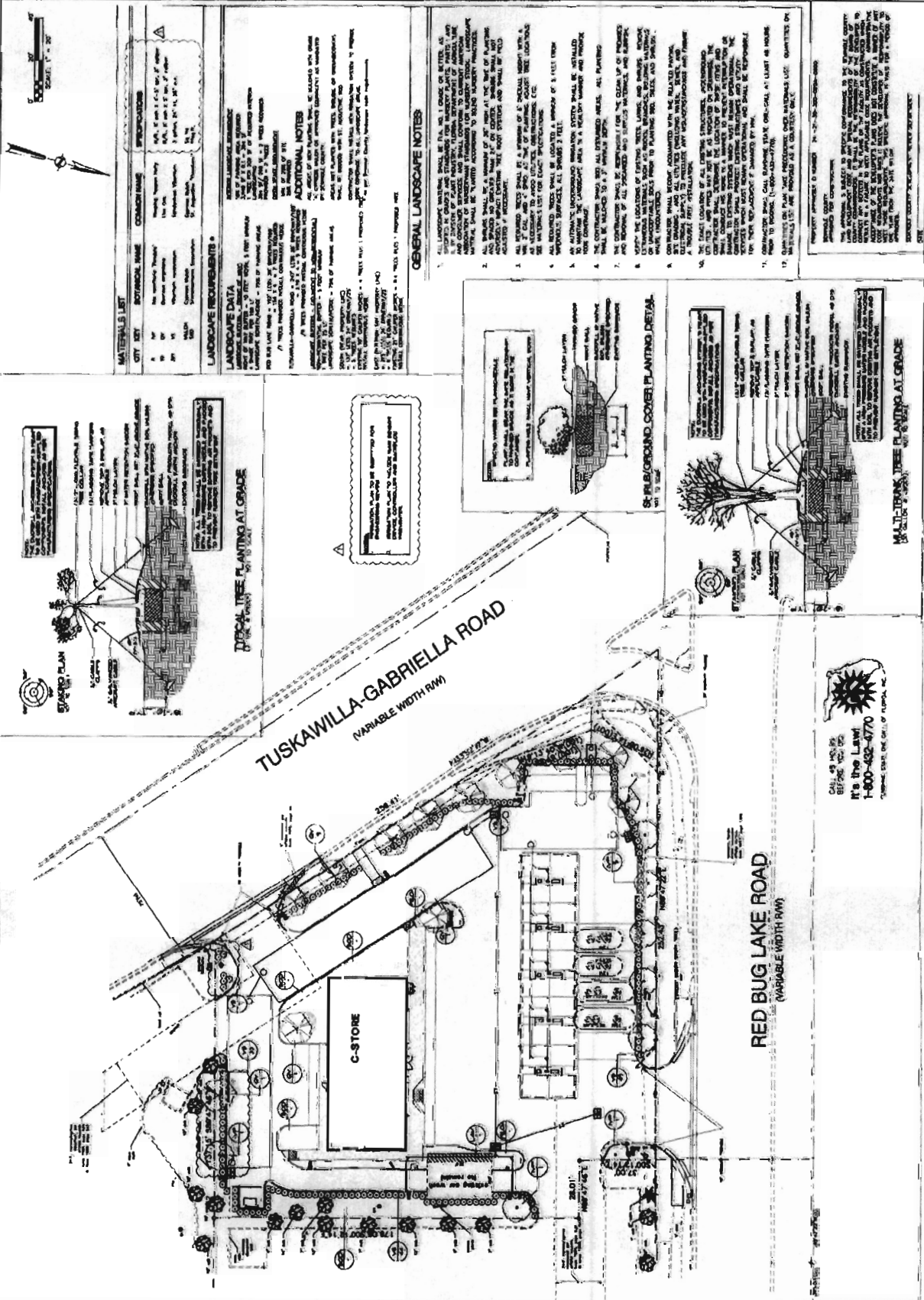
Approved by the Board of County Commission on February 12, 2008.

Board of County Commissioners
Seminole County, Florida

Date: _____
Brenda Carey, Chairman

Exhibit A
PCD Final Site Plan
(See Attached)



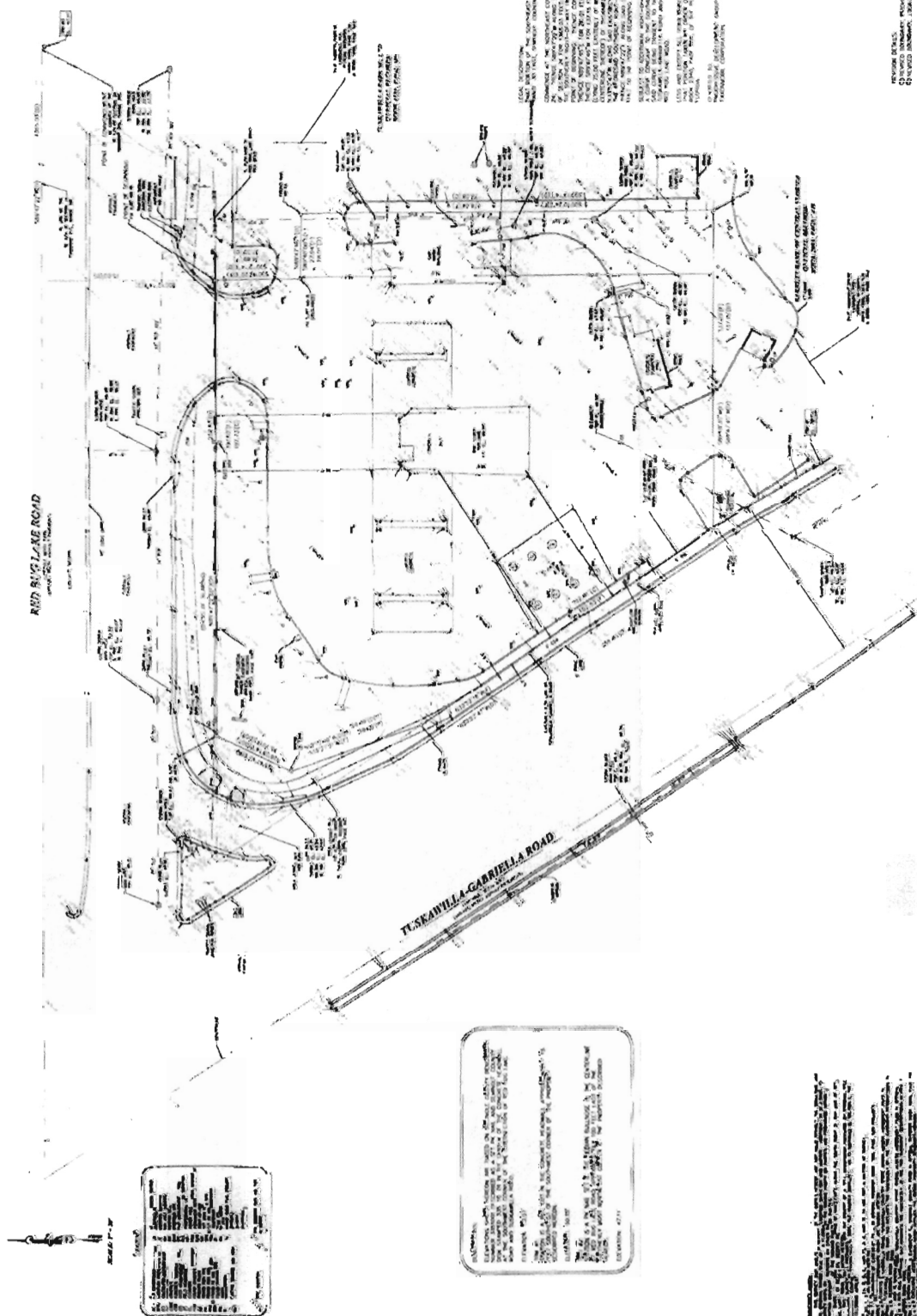


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PROFESSOR DR. JÜRGEN KREMER

COCA, INCORPORATED, 1000 UNIVERSITY ST., NEW YORK, N.Y. 10017, HAS BEEN ADVISED BY THE NEW YORK STATE DEPARTMENT OF TAXATION THAT THE COMPANY'S 1967 FEDERAL INCOME TAX RETURN, FILED WITH THE IRS, IS BEING REVIEWED BY THE STATE DEPARTMENT OF TAXATION. THE COMPANY IS REQUESTING THAT THE REVIEW BE COMPLETED AS SOON AS POSSIBLE.

RAYMOND THOMPSON
PROFESSIONAL SURVEYOR & MAPPER, INC.
6415 Sunnyside Street
Tampa, Florida 33634
Phone (813) 886-4080
Fax (813) 886-8081



584405

1989 FEB 13 PM 2:52

FILE #P288-61

SEMINOLE COUNTY D.O. #88-2080

SEMINOLE COUNTY DEVELOPMENT
ORDER

On November 8, 1988, Seminole County issued this Development Order relating to and touching and concerning the following described property:

TAX PARCEL 20E, LOCATED IN SECTION 24, TOWNSHIP 21, RANGE 30, SEMINOLE COUNTY FLORIDA. FURTHER DESCRIBED AS A 1 ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF RED BUG LAKE AND TUSKAWILLA ROADS.

[The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.]

Findings of Fact:

Property Owner: MOBIL OIL CORPORATION

Development Name: TUSKAWILLA COUNTY STORE PCD

Requested Development Approval: REZONE TO PCD

The development approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Order

NOW, THEREFORE, it is ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is GRANTED.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

PREPARED BY: JANE STAPLETON
SEMINOLE COUNTY
LAND MANAGEMENT
1101 E. FIRST STREET
SANFORD, FL 32771

Sandy Russell

RECORDED
CTY. CLERK'S OFFICE

69 FEB 2 11 9:03

RECORDED
CTY. CLERK'S OFFICE

69 JUN 31 PM 12:50

CLERK OF CIRCUIT COURT
SEMINOLE CO. FL.

OFFICIAL RECORDS
BOOK PAGE
2041 0887
SEMINOLE CO. FL.

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY *S. Russell*
DEPUTY CLERK

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

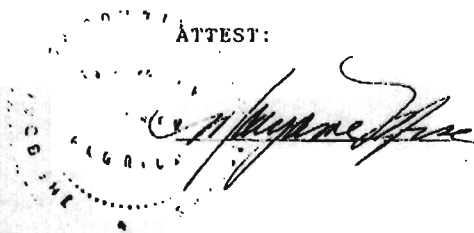
COMPLIANCE WITH DEVELOPERS AGREEMENT APPROVED ON
NOVEMBER 8, 1988 AND ALL AMENDMENTS THERETO.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden and run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

DONE and ORDERED this 8th day of November, 1988.

ATTEST:



By:


APPROVING AUTHORITY

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BOOK
PAGE

OWNER'S CONSENT AND COVENANT

COMES NOW, I. R. Heath of MOBIL OIL CORPORATION,
the owner of the afordescribed property in this Development
Order, on behalf of itself and its heirs, successors, assigns or
transferees of any nature whatsoever and consents to, agrees
with and covenants to perform and fully abide by the provisions
terms, conditions and commitments set forth in this Development
Order.

Danielle Jones
Witness

Carl Kealey
Witness

I.R. HEATH Owner
STAFF SERVICES MANAGER

STATE OF Virginia)
COUNTY OF Fairfax)

I HEREBY CERTIFY that on this day, before me, an
officer duly authorized in the State and County aforesaid to take
acknowledgements, personally appeared I.R. HEATH,
to me known as to be the person described in and who executed
foregoing instrument and he/she acknowledged before me that
he/she executed the same.

WITNESS my hand and official seal in the County and
State last aforesaid this 26 day of January, 1989.

Cheryl A. Gopson
Notary Public, in and for the County
and State Aforementioned

My Commission Expires:
My Commission Expires November 29, 1992



OFFICIAL RECORDS
BOOK PAGE

204 0889
SEMINOLE CO. FL.

2048 1471

SEMINOLE CO. FL.

TUSCAWILLA COUNTRY STORE
MOBIL OIL CORPORATION
DEVELOPER'S COMMITMENT AGREEMENT

FILED IN OFFICE
CTY. COMMISSIONER'S OFFICE
MARYANNE MORSE

89 FEB 28 PM 2:49

CLERK TO B.C.C.
SEMINOLE CO. FL
BY CC D.C.

RECORDED & VERIFIED

1989 MAR -9 AM 11:54

591666

CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FL.

I. Legal Description:

That portion of the Southeast 1/4 of Section 24, Township 21 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Northeast corner of the Southeast 1/4 of Section 24; thence South 89 degrees 47'22" West along the North line of said Southeast 1/4 Section 24 for 1,365.03 feet; thence South 00 degrees 12'14" East for 75.00 feet to the Southerly right-of-way line for Red Bug Lake Road and the Point of Beginning; Thence continue South 00 degrees 12'14" East for 37.00 feet; thence North 89 degrees 47'46" East for 28.01 feet; thence South 00 degrees 12'14" East for 178.08 feet; thence South 89 degrees 47'46" West for 137.15 feet to the Easterly right-of-way line (lying 75.00 feet Easterly of when measured at right angles to the centerline thereof) of Tusawilla-Gabriella Road; thence North 33 degrees 52'47" West along said Easterly right-of-way line for 258.41 feet to the aforesaid Southerly right-of-way line of Red Bug Lake Road; thence North 89 degrees 47'22" East along said Southerly right-of-way line for 252.43 feet to the Point of Beginning. Containing 0.996 Acres, more or less.

Subject to additional right-of-way taking, or the external area of a curve concave to the Southeast, having a radius of 25.00 feet; said curve being tangent to the Easterly right-of-way line of Tusawilla-Gabriella Road and the Southerly right-of-way line of Red Bug Lake Road.

II. Statement of Basic Facts:

Total Acreage 0.99 AC

Total Building Square footage 988 Square Feet

Specific uses shall be for a gas station with gas pumps and a car wash.

III. Landscaping and Buffers:

Shall comply with requirements for C-1 zoning category, as shown on the site plan.

IV. Off-Site Improvements:

Developer will provide a 5 foot sidewalk in the rights-of-way adjacent to the project shown on the site plan. Developer has installed deceleration lanes for two right-in/right-out entrances in the rights-of-way as shown on the site plan. Developer will extend the sanitary sewer lines within the rights-of-way of Tusawilla Road north from Willa Springs Villas to his site as shown on the site plan.

2048 1472

SEMINOLE CO. FL.

V. Impact Commitments:

A. Roads:

This project participated in the Tri-Party Agreement for improvements to Red Bug Lake and Tusawilla Roads.

B. Fire Protection

The Developer will pay fire impact fees in accordance with ordinance #87-11, or its successor.

C. Law Enforcement:

The Developer will pay law enforcement impact fees as applicable at the time of building permit issuance.

D. Water and Sewer:

Water and sewer will be provided by Seminole County. Water and sewer line are shown on the site plan.

VI. Other Commitments:

A. Land Development Code Contingency:

Unless a particular item is specifically covered or permitted in this agreement, the applicable portion of the Seminole County Land Development Code shall prevail.

B. Buildings will not exceed one story in height.

C. Allowable uses of the property shall be those uses allowed in C-1 Retail/Commercial zoning, a car wash and gas pumps.

D. Developer's Definition:

When the term "Developer" is used herein, same shall be taken or construed to mean Mobil Oil Corporation. All obligations, liabilities, and responsibilities incurred by or implied by the Developer by this agreement shall be assumed by any successors in interest as the overall Development of the Planned Commercial Development.

7503M/2

BK 145 Pg 460.3B

2048 1473

SEMINOLE CO. FL.

THE STATE OF VIRGINIA)
COUNTY OF FAIRFAX)

BEFORE ME, the undersigned authority in and for Fairfax County, Virginia,
on this 22nd day of February, 1989 personally appeared
D.R. HAYES and I.R. HEATH, known to me
to be the person(s) whose name(s) are subscribed to the foregoing instrument,
and known to me to be the ASS'T. SECRETARY and ASS'T. SECRETARY,
respectively, of MOBIL OIL CORPORATION, a New York corporation, and acknowledged
to me that they executed the said instrument for the purposes and consideration
therein expressed, and as the act and deed of said corporation.

GIVEN under my hand and seal of office this 22 day of February,
1989.

Elizabeth A. Winkler
Notary Public

My Commission Expires: _____

ELIZABETH A. WINKLER
MY COMMISSION EXPIRES 9/9/91

RK 145 Pa. 460.3C

At a Meeting of the Board of Directors of MOBIL OIL CORPORATION held at 150 East 42nd Street, New York, N. Y., on the 25th day of June, 1987, at which meeting a quorum was present and assented to its passage, the following Resolution was adopted:

RESOLVED, that effective July 1, 1987, the Treasurer, the Senior Assistant Controller, the Assistant Treasurers, the Assistant Controllers, and each of them, be and they hereby are authorized to execute, acknowledge and deliver any and all instruments in the name and on behalf of this Corporation, including, without limiting the generality of the foregoing, deeds conveying real estate, with the same force and effect as if specific authority were granted by this Board in each particular instance; and the Secretary or a Senior Assistant Secretary or an Assistant Secretary is hereby authorized to attest the execution of such instruments and to affix the Corporate Seal thereto.

I, D.R. HAYES, Assistant Secretary of MOBIL OIL CORPORATION, do hereby certify that the foregoing Resolution is a true copy from the records of the said MOBIL OIL CORPORATION, and that said Resolution is now in full force and effect.

IN TESTIMONY WHEREOF, I have signed my name and affixed the Corporate Seal at Fairfax, Virginia, this 22 day of February, 1989.



D.R. Hayes
Assistant Secretary

/bc0220

BK 145 Pg 460.3D

2048 1474
BOOK PAGE
SERIAL RECORDS
SEMI-ANNUAL CO. FL.

Approved by the Board of County Commission on November 8, 1988.

Mobil Oil Corporation

By: 

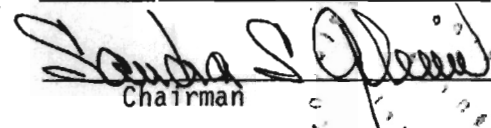
I.R. HEATH
ASST. SECRETARY

Date: February 22, 1989

Board of County Commissions

Seminole County, Florida

Date: 2-27-89


Chairman

OFFICIAL RECORDS
BOOK PAGE
2048 1475
SEMINOLE CO. FL.

7503M/3

BK 145 Pg 460.3E

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
NOVEMBER 7, 2007**

Members present: Melanie Chase, Ben Tucker, Matthew Brown, and Kim Day

Members absent: Walt Eismann, Rob Wolf, and Dudley Bates

Also present: Tina Williamson, Acting Planning Manager; Dori DeBord, Director of Planning and Development; Herman Wright, Principal Planner; Ian Sikonia, Senior Planner; Tony Walter, Principal Planner; Tony Nelson, Senior Engineer; Kathy Furey-Tran, Assistant County Attorney; Candace Lindlaw-Hudson, Clerk to the Commission

Red Bug Lake Road (5885) / PCD Major Amendment; Brett Nevaril, Progressive Development Group, applicant; 0.97± acres; PCD Major Amendment; Rezone PCD (Planned Commercial Development) to PCD (Planned Commercial Development); also Revised Preliminary Site Plan, Revised and Restated Development Order, Final Site Plan, Revised and Restated Developer's Commitment Agreement; located on the southeast corner of Red Bug Lake Road and Tuskawilla Road. (Z2007-36)

Commissioner Dallari – District 1
Herman Wright, Principal Planner

Herman Wright stated that this rezone application would amend the PCD site plan and Developer's Commitment Agreement approved in November of 1988. The original approval was for a 988 square-foot gas station and car wash and all uses within the C-1 Retail Commercial District. The applicant is requesting that the convenience store be increased in size from 988 square feet to 4,200 square feet. This project is compatible with the "Commercial" future land use designations surrounding the site and the C-1 Commercial zoning district surrounding the site. Staff recommendation is for approval of the request for a PCD Major Amendment; Rezone PCD (Planned Commercial Development) to PCD (Planned Commercial Development); also Revised Preliminary Site Plan, Revised and Restated Development Order, Final Site Plan, Revised and Restated Developer's Commitment Agreement.

Commissioner Tucker noted the road name on the map of "Tuskawilla Gabriella Road, " which he has never seen on any Seminole County documents.

Commissioner Brown said that the road name should be confirmed before the BCC hearing.

Brett Nevaril was present to answer questions. He stated that the road name came from original documents and the legal description of the property. He will check on the name.

There were no comments from the audience.

Commissioner Brown noted that the placards placed on sites of applications should reflect the precise action being requested, such as "expansion of size of convenience store."

Commissioner Day made a motion to recommend approval of the request for PCD Major Amendment; Rezone PCD (Planned Commercial Development) to PCD (Planned Commercial Development); also Revised Preliminary Site Plan, Revised and Restated Development Order, Final Site Plan, Revised and Restated Developer's Commitment Agreement.

Commissioner Chase seconded the motion.

The motion passed 4 – 0.

Respectfully submitted,

Candace Lindlaw-Hudson
Clerk to the Commission

ORDINANCE NO.

**DEVELOPMENT ORDER #07-21700006
Z2007-36**

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On February 12, 2008, Seminole County issued this Denial Development Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

Property Owner(s): Exxon Mobil Oil Corporation

Project Name: Red Bug Lake Road 5885/Mobil PCD Major Amendment

Requested Development Approval: The applicant is requesting to increase the square footage of the convenience store from 988 square feet to 4,200 square feet; an increase of 3,212 square feet.

The Board of County Commissioners has determined that the requested Red Bug Lake Road 5885/Mobil PCD Major Amendment is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Red Bug Lake Road 5885/Mobil PCD Major Amendment" and all evidence submitted at the public hearing on February 12, 2008, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested PCD Major Amendment should be denied.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
Brenda Carey, Chairman

EXHIBIT "A"

LEGAL DESCRIPTION

**MOBIL SERVICE STATION RAS#10890
5885 RED BUG LAKE ROAD
WINTER SPRINGS, FLORIDA**

THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 24; THENCE S89°47'22"W ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 24 FOR 1365.03 FEET; THENCE S00°12'14"E FOR 75.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE FOR RED BUG LAKE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE S00°12'14"E FOR 37.00 FEET; THENCE N89°47'46"E FOR 28.01 FEET; THENCE S00°12'14"E FOR 178.08 FEET; THENCE S89°47'46"W FOR 137.15 FEET TO THE EASTERLY RIGHT-OF-WAY LINE (LYING 75.00 FEET EASTERLY OF WHEN MEASURED AT RIGHT ANGLES TO THE CENTERLINE THEREOF) OF TUSKAWILLA-GABRIELLA ROAD; THENCE N33°52'47"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 258.41 FEET TO THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF RED BUG LAKE ROAD; THENCE N89°47'22"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 252.43 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ADDITIONAL RIGHT-OF-WAY TAKING, OF THE EXTERNAL AREA OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET; SAID CURVE BEING TANGENT TO THE EASTERLY RIGHT-OF-WAY LINE OF TUSKAWILLA-GABRIELLA ROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF RED BUG LAKE ROAD.

LESS AND EXCEPT ALL ROAD RIGHTS-OF-WAY INCLUDING BUT NOT LIMITED TO THAT PORTION TAKEN BY ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 2340, PAGE 844, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.